

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SUPPRESSED

FILED

UNITED STATES OF AMERICA,

Plaintiff,

V.

CAMERON M. BRYANT,
KIRK K. DARDEN,
JALEN SHERRELL,
CHRISTY BORDERS, and
JADA KENO,

Defendants.

SEP 27 2017

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

No. S2-4:17 CR 268 HEA

SECOND SUPERSEDING INDICTMENT

COUNT ONE

The Grand Jury charges that:

On or about January 30, 2017, in the City of St. Louis, within the Eastern District of Missouri,

CAMERON M. BRYANT,

the Defendant herein, having been convicted previously in a court of law of one or more crimes punishable by a term of imprisonment exceeding one year, did knowingly and intentionally possess a firearm which previously traveled in interstate or foreign commerce during or prior to being in the Defendant's possession.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT TWO

The Grand Jury further charges that:

On or about May 9, 2017, in the City of St. Louis, within the Eastern District of Missouri,

CAMERON M. BRYANT,

the Defendant herein, did knowingly and intentionally possess with the intent to distribute a mixture or substance containing a detectible amount N-phenyl-N[1-(2)-(phenylethyl)-4-piperodiny]propanamide, commonly known as fentanyl, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT THREE

The Grand Jury further charges that:

On or about September 12, 2016, in the City of St. Louis, within the Eastern District of Missouri,

KIRK K. DARDEN,

the Defendant herein, did knowingly and intentionally possess with the intent to distribute a mixture or substance containing a detectible amount N-phenyl-N[1-(2)-(phenylethyl)-4-piperodiny]propanamide, commonly known as fentanyl, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT FOUR

The Grand Jury further charges that:

On or about April 5, 2017, in the City of St. Louis, within the Eastern District of Missouri,

KIRK K. DARDEN,

the Defendant herein, did knowingly and intentionally possess with the intent to distribute a mixture or substance containing a detectible amount N-phenyl-N[1-(2)-(phenylethyl)-4-piperodiny]propanamide, commonly known as fentanyl, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT FIVE

The Grand Jury further charges that:

On or about September 12, 2016, in the City of St. Louis, within the Eastern District of Missouri,

KIRK K. DARDEN,

the Defendant herein, did knowingly and intentionally possess a firearm in furtherance of the drug trafficking crimes named in Count Three of this Indictment.

In violation of Title 18, United States Code, Section 924(c).

COUNT SIX

The Grand Jury further charges that:

On or about June 28, 2017, in the City of St. Louis, within the Eastern District of Missouri,

**CAMERON M. BRYANT and
JALEN SHERRELL,**

the Defendant herein, did knowingly and intentionally possess a firearm in furtherance of the drug trafficking crimes named in Count Seven of this Indictment.

In violation of Title 18, United States Code, Section 924(c).

COUNT SEVEN

The Grand Jury further charges that:

Beginning at a time unknown to the Grand Jury, but including September 12, 2016, and through the date of this indictment, with the exact dates unknown to this Grand Jury, in the City of St. Louis, within the Eastern District of Missouri, and elsewhere, the defendants,

**CAMERON M. BRYANT,
KIRK K. DARDEN and
JALEN SHERRELL,**

did knowingly and willfully conspire, combine, confederate and agree together with each other and persons both known and unknown to this Grand Jury, to commit offenses against the United States, to wit: to knowingly and intentionally possess with the intent to distribute 400 grams or more of a mixture or substance containing a detectable amount of N-phenyl-N[1-(2)-(phenylethyl)-4-piperodiny]propanamide, commonly known as fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1); and 846, and punishable by Title 21, United States Code, Section 841(a)(1)(b)(1)(A).

COUNT EIGHT

The Grand Jury further charges:

A. Introduction

1. The Bureau of Alcohol Tobacco and Firearms is a federal law enforcement agency tasked with investigating, among other things, firearms and drug crimes. Their investigation led to the execution of a search warrant on June 28, 2017, at the residence of Kirk K. Darden within the Eastern District of Missouri. During the execution of this search warrant approximately \$250,000.00 cash was seized from the residence. ATF reviews claims for ownership of seized funds.
2. Kirk K. Darden was detained and housed in the St. Charles County Jail in the Eastern District of Missouri.
3. On June 30, 2017, Christy Borders, Kirk K. Darden's mother, accepted a telephone call from Kirk K. Darden to her telephone in the Eastern District of Missouri. Kirk K. Darden asked Christy Borders to enlist the help of Jada Keno, Kirk K. Darden's aunt, to fraudulently claim the seized money.
4. Kirk K. Darden made a second call to Christy Borders who, via a three-way call, included Jada Keno. Jada Keno is in the State of Georgia and she participated in the call that originated in

the Eastern District of Missouri. Kirk K. Darden directed Jada Keno to tell authorities that the seized United States Currency belongs to her and is offered \$20,000.00 for her participation in the scheme. Jada Keno agrees.

5. On July 25, 2017, Jada Keno executes a fraudulent claim form claiming ownership of the seized \$250,000.00. Jada Keno mailed the claim form from Atlanta, Georgia to the ATF Forfeiture Counsel in Washington D.C.

B. Conspiracy

6. Beginning as early as June 30, 2017 and continuing through on or about July 25, 2017, in the Eastern District of Missouri and elsewhere, the defendants,

**KIRK K. DARDEN,
CHRISTY BORDERS and
JADA KENO**

and persons known and unknown to the Grand Jury did unlawfully, willfully, and knowingly combine, conspire, and agree to commit the offense against the United States of making a false statement in a matter within the jurisdiction of a department or agency of the United States, in violation of Title 18, United States Code, Section 1001.

C. Overt Acts

In furtherance of and to effect the objects of the conspiracy, **KIRK K. DARDEN, CHRISTY BORDERS, JADA KENO**, committed and caused to be committed one or more of the following overt acts in the Eastern District of Missouri and elsewhere:

1. On June 30, 2017, **KIRK K. DARDEN** initiated and made a telephone call from the St. Charles County Jail in the Eastern District of Missouri to **CHRISTY BORDERS** concerning United States Currency seized during the execution of a search warrant. **KIRK K. DARDEN** asks **CHRISTY BORDERS** to enlist the help of **JADA KENO** to claim the currency.

2. On or about June 30, 2017, **KIRK K. DARDEN** participates in a three way call that

originates in the Eastern District of Missouri with **CHRISTY BORDERS** and **JADA KENO**.

KIRK K. DARDEN offers to pay **JADA KENO** \$20,000.00 for her to claim the seized money. **JADA KENO** agrees to claim the money.

In violation of Title 18, United States Code, Section 371.

FORFEITURE ALLEGATION

The Grand Jury further finds by probable cause that:

1. Pursuant to Title 21, United States Code, Sections 853, upon conviction of an offense in violation of Title 21, United States Code, Section 841(a)(1), as set forth in Counts One, Two, Three, Four, and Seven the defendants shall forfeit to the United States of America any property, constituting or derived from any proceeds obtained, directly or indirectly, as the result of such violation(s) and any property used or intended to be used, in any manner or part to commit or to facilitate the commission of such violation(s).

2. Pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), upon conviction of an offense of Title 18, United States Code, Section 922 or 924 as set forth in Counts One, Five, and Six, the defendants shall forfeit to the United States of America any firearm or ammunition involved in or intended to be used in said violation(s).

3. Specific property subject to forfeiture includes, but is not limited to, the following:

- a) \$353,797.00 in United States currency;
- b) One Glock 9 mm semi-automatic pistol, bearing serial number BAH969;
- c) One Ruger 9 mm semi-automatic pistol, bearing serial number 33716479;
- d) One Ruger 9 mm semi-automatic pistol, bearing serial number 31824514;

e) One FNH .45 caliber semi-automatic pistol, bearing serial number FX3U45126;

f) One Glock 9 mm semi-automatic pistol, bearing serial number ACBC336.

4. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America will be entitled to the forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

A TRUE BILL.

FOREPERSON

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